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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,888	06/03/2004	Rahul Ramakant Pandhe		3887

7590
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Fremont, CA 94536

07/17/2007

EXAMINER

FADOK, MARK A

ART UNIT	PAPER NUMBER
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3625

MAIL DATE	DELIVERY MODE
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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/709,888

Applicant(s)

PANDHE, RAHUL RAMAKANT

Examiner

Mark Fadok

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 4,5,11-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Response to Restriction

The examiner is in receipt of applicant's response to restriction requirement mailed 4/5/2007, which was received 4/19/2007. Acknowledgement is made to the election of Group IIA, claims 1-3 and 6-10 without traverse and the amendment to claims 6.

Double Patenting

Claim 2 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 2. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1-3 and 6-10 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one

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sentence form only. Note the format of the claims in the patent(s) cited. Some examples follow:

Regarding claim 1,2,3, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim 3 recites the limitation "said User's universal product item registry" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claims 8,9 recites the limitation "said user's registry account information" in line 3 and 2 respectively. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "the application programming interface" in line 8 r. There is insufficient antecedent basis for this limitation in the claim.

Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In this case the examiner is unable to determine what parts of the referenced claims pertain to the instant claim.

Claim 10 recites the limitation "the respective said claims" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Examiner's Note

Examiner has cited particular columns and line numbers or figures in the references as applied to the claims below for the convenience of the applicant.

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Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3,6,8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marteneau (US 2005/0177458) in view of Official Notice.

In regards to claim 1, Martineau discloses a method of selecting and determining the product item description along with the product item's pricing information and the Uniform Resource Locator (URL) of the photographic image of the product item from the web page of an online store that contains the listing of the said product item, for use in creating one or more user specific product item lists associated with one or more internet based universal product item registry accounts (Abstract), the said method comprising of the sequence of the following steps:

(i) Using an Internet browser program on a client device such as a personal computer connected to the Internet, the user navigating to the web page of an online store and selecting a desired product item listing on the said web page with a mouse or a keyboard or such other input device (FIG 5).

Martineau teaches being provided different choices when a selection is made to add a item to a wish list (FIG 1), but does not specifically but does not specifically mention the selection is through a menu option list or that this menu is provided after the indication is made to select a product. The examiner takes official notice that that it was old and well known to provide option menus after a selection is made. It would have been obvious to a person having ordinary skill in the art at the time of the invention to include in Martineau the presentation of a menu list after a selection is made, because this saves real-estate space on the screen and reduces clutter when the user is browsing product information and therefore creates a more efficient means for providing information.

(iii) The user selecting the menu item option to indicate the desire to add the selected product item to the product item list associated with the said user's internet based universal product item registry account such as an online wish list or an online gift registry account (FIG 5).

In regards to claim 2, Martineau teaches the step of providing a menu item option in the internet browser program's menu options list that is available after

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selecting a desired product item, the said menu item option providing the user with a choice to add the selected product item to the product item list associated with the said user's internet based universal product item registry account such as an online wish list or an online gift registry account (see response to claim 1 and para 006).

In regards to claim 3, Martineau teaches identifying a user and associating links to user attributes and wish lists, but does not specifically mention that the said user's account name and security password as registered with the registry service provider that is hosting the said user's universal product item registry and retrievably storing the user provided account information onto the said user's client device such as the personal computer. The examiner takes official notice that registering users of wish lists and gift registered along with storing retrievable account information such as in a cookie stored on a users computer was old and well known in the art at the time of the invention. It would have been obvious to a person having ordinary skill in the art at the time of the invention to include in Martineau registering users of wish lists and gift registered along with storing retrievable account information such as in a cookie stored on a users computer, because this is a notoriously well known means for assuring that the information selected by the user ends up in the proper location. This is known to reduce frustration by assuring that the selected information ends up in the selected list for future recall when a purchase is being anticipated.

In regards to claim 6, Martineau teaches based upon the user's selection of the said product item as described in the respective said claims further comprising the step of determining the product item description, product identification number, selling price, brand name, manufacturer name, the URL of the online store's web page that contains the listing of the said selected product item, the URL of the product's photographic image and the URL of the online store selling the said selected product item, wherein the said determination is performed by parsing the web page of the online store or by accessing the Application Programming Interfaces made available by Online Store Provider, to find the said required information items (FIG 5).

In regards to claim 8, Martineau teaches the step of transmitting the product information items, determined as described in claim c6 and the quantity information determined as described in claim c7 and the said user's registry account information, determined as determined in claims c3, to a server computer connected to one or more computer databases and hosted by the registry service provider (FIG 2, Shopping Portal).

In regards to claim 9, Martineau teaches wherein the received information at the said server computer consisting of the user's registry account information and said selected product item description Information, further comprising the steps of; the said server computer using the received registry account information to determine and

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retrieve the user specific product item list from one or more computer databases; adding the received product item information to the said user specific product item list; and retrievably storing the updated product item list in one or more computer databases (FIG 10),

In regards to claim 10, Martineau teaches based upon the user's selection of the said product item as described in the respective said claims, further comprising of an alternate method of determining the product item description, selling price, brand name, manufacturer name and the URL of the product's photographic image. The said method comprising of parsing the web page of the online store to determine the product identification number or such other unique product item identifier based upon the user's selection of the said product item (FIG 11).

Claims 1-3,6,8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marteneau (US 2005/0177458) in view of Official Notice and further in view of Holland (US PG PUB 2003/0036973).

In regards to claim 7, Martineau teaches identifying products for a wish list, but does not specifically mention that the quantity is prompted from the user. Holland teaches a method whereby a quantity is prompted by the system to establish how many items of a particular product are desired (FIG 8). It would have been obvious to a person having ordinary skill in the art at the time of the invention to include in Martineau

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the requesting of information as to the quantity of product desired, because this would increase sales by indicating a requirement of more than one to a prospective purchaser of a gift and/or provide the user with a means of adding a needed quantity of more than one thus alleviating the need to add multiple listings of the same product to a gift registry.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mark Fadok** whose telephone number is **571.272.6755**. The examiner can normally be reached Monday thru Friday 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Jeffrey Smith** can be reached on **571.272.6763**.

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, Va. 22313-1450

or faxed to:

571-273-8300

[Official communications; including

After Final communications labeled

"Box AF"]

For general questions the receptionist can be reached at

571.272.3600

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Mark Fadok
Primary Examiner